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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CR. NO. S-04-219 DFL
)	
Plaintiff,)	
)	
v.)	MOTION AND ORDER
)	DISMISSING INDICTMENT
)	
FAUSTINO PLANCARTE,)	
)	
Defendant.)	
_____)	

Pursuant to Federal Rule of Criminal Procedure 48, the United States of America, by and through its undersigned attorney, Mary L. Grad, Assistant United States Attorney, respectfully requests that this Court dismiss without prejudice the Indictment in the captioned matters, against defendant FAUSTINO PLANCARTE.

DATED: August 29, 2006

McGREGOR W. SCOTT
United States Attorney

By _____
MARY L. GRAD
Assistant U.S. Attorney

O R D E R

It is ordered that the above-captioned case be and is hereby dismissed without prejudice against FAUSTINO PLANCARTE.

DATED: 8/30/2006



DAVID F. LEVI
United States District Judge